



Federal Communications Commission  
Washington, D.C. 20554

Adopted: November 14, 2003

Released: November 14, 2003

Ms. Michelle A. Thomas  
Executive Director – Federal Regulatory  
SBC Telecommunications, Inc.  
1401 I Street, NW, Suite 1100  
Washington, DC 20005

RE: *SBC/Ameritech Merger Order*, CC Docket No. 98-141

Dear Ms. Thomas:

This letter addresses SBC Telecommunications, Inc.'s (SBC's) request to modify the implementation schedule for certain disaggregations for line splitting performance measures of the version 3.0 Texas Business Rules adopted in the Carrier-to-Carrier Performance Plan (Plan) for the SBC Midwest and SBC SNET regions.<sup>1</sup> For the reasons provided herein, I grant SBC's request, pursuant to the *SBC/Ameritech Merger Order*.<sup>2</sup>

On July 14, 2003, the Wireline Competition Bureau (Bureau) granted SBC's request to apply the version 3.0 Texas Business Rules to the Plan. As part of the implementation of those changes, SBC agreed to implement additional line splitting disaggregations under existing measures in the SBC Midwest and SBC SNET region beginning with September 2003 data.<sup>3</sup> SBC states that during the implementation process, SBC Midwest and SBC SNET encountered significant programming problems in developing a method for existing systems to identify line-splitting services.<sup>4</sup> Specifically, SBC contends that because line splitting measures for provisioning and maintenance involve two or more competitive local exchange carriers (LECs) in the same transaction, a method using special project codes to associate the data and voice orders into a unique transaction is required.<sup>5</sup> SBC states that it has already implemented this process for SBC Midwest to report September 2003 results for the provisioning measures. However, a comparable method for maintenance measures will not be available for September 2003 reporting.<sup>6</sup> SBC

<sup>1</sup> Letter from David G. Cartwright, Director-Federal Regulatory, SBC Telecommunications, Inc. to Carol E. Matthey, Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, CC Docket No. 98-141 (filed Oct. 2, 2003) (SBC October 2 Letter). The Plan was adopted as part of the Merger Conditions in the *SBC/Ameritech Merger Order*. *Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules*, CC Docket 98-141, Memorandum Opinion and Order, 14 FCC Rcd 14712, App. C, Attach. A (1999) (*SBC/Ameritech Merger Order* or *Merger Order*). The Plan requires SBC to report performance measurement data to the Commission each month, and to make payments to the United States Treasury should it fail to meet certain performance standards. *Merger Order*, 14 FCC Rcd 15000, para. 23.

<sup>2</sup> *SBC/Ameritech Merger Order*, 14 FCC Rcd 14712, Attach. A, para. 4.

<sup>3</sup> SBC states that its request will only affect the "DSL Loops with line splitting" disaggregations for PMs 4c, 5c, 6c, 7c, 8 and 12c. SBC October 2 Letter at 2 n.3.

<sup>4</sup> *Id.* at 1.

<sup>5</sup> *Id.* at 1-2.

<sup>6</sup> *Id.* at 2 n.2.

requests a waiver of the requirement for SBC Midwest for September 2003, noting that the Merger Conditions no longer require performance measure reporting for SBC Midwest after the September 2003 data submission.

With respect to SBC SNET, SBC requests a three month extension of the implementation schedule for reporting line splitting maintenance measures. Until the new method is implemented, SBC will report any trouble on a line splitting account reported by a competitive LEC in either the analog port or UNE DSL maintenance submeasures.<sup>7</sup> SBC submits that SBC SNET will have methods in place for both provisioning and maintenance on December 1, 2003.<sup>8</sup> SBC also notes that there has been no line splitting activity in the SBC SNET region in 2003.

I am persuaded to grant both of SBC's requests. SBC Midwest has already reported its provisioning performance for September, and its reporting requirements for this region have sunset. The burden of requiring SBC Midwest to implement disaggregations of line splitting maintenance measures for one month is not warranted, in light of the sunset of reporting in the SBC Midwest region. Moreover, a short extension of time to implement the necessary programming changes to report maintenance measures in SBC SNET is warranted.

If SBC disagrees with any of this letter's guidance, it may file an application for review with the Commission pursuant to section 1.115 of the Commission's rules.<sup>9</sup>

Please do not hesitate to contact me if I can be of further assistance. In addition, you may contact Bill Dever, Assistant Division Chief, Competition Policy Division in the Wireline Competition Bureau at (202) 418-1578.

Sincerely,

Carol E. Matthey  
Deputy Chief, Wireline Competition Bureau

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> 47 C.F.R. § 1.115.